



Session 403: To pursue or not to pursue income

Roberta Jagoe
Policy Analyst
Region of Durham's Housing Services
Division



Agenda

- Legislative authority
- Notification requirements
- Types of income to be pursued
 - Best practices
 - Resources
- Appeals



Housing Services Act

- Ontario Regulation 367/11 – General
 - Section 31: Cessation of Eligibility – failure to obtain income
 - Section 29: Cessation of Eligibility – failure to provide information
- Service manager may have local rules or direction
- Extenuating circumstances



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RGI Eligibility – Pursuit of Income

- May require pursuit of income:
 - OAS / GIS / GAINS
 - Employment Insurance
 - Support income
 - Ontario Works
 - Sponsorship income
- Distinction between recommended pursuit and required pursuit of income



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Notice Requirements

- Notice setting out:
 - Tenant may be eligible for income
 - Requesting tenant apply for income
 - Reasonable period of time to report results of the application
- Request for information – not RGI eligibility notice
- ONPHA sample notice



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RGI Eligibility

- Tenant ceases to be eligible for RGI if:
 - No response within specified timeframe
 - Reasonable efforts have not been made to obtain income
 - Requested information is not received in specified timeframe
- RGI may be continued in extenuating circumstances
- RGI ineligibility notice required



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Considerations

- Who should be required to pursue income
- Where and how to apply for income
- Reasonable timeframes to provide:
 - Verification of application
 - Results of application
- Follow up
 - Reasonable efforts to pursue
 - Payment of income



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Employment Insurance

- Regular benefits, parental benefits, sick benefits, compassionate care benefits
- Record of employment (ROE)
- Apply online or in person at Service Canada Centre
 - 1-800-206-7218
 - www.servicecanada.gc.ca/ei
 - www.servicecanada.gc.ca/offices
- Best practice - allow 30 days for application
- Follow up - can take 4-8 weeks for claim to be paid
- My Service Canada Account



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Questions on Pursuing EI



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Old Age Security (OAS)

- Can apply for OAS six months prior to turning 65
- GIS and GAINS based on eligibility for OAS and income tax return
- OAS application kit available online or at Service Canada
 - 1-800-277-9914
 - www.servicecanada.gc.ca/oas
 - www.servicecanada.gc.ca/offices
- My Service Canada Account



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Questions on Pursuing OAS



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Support Income

- Non-custodial parents are obligated to provide child support
- Sole support parent may be required to pursue if:
 - Court order not in pay
 - Verbal agreement not in pay
 - No court order or agreement for support
- Divorced/separated tenants may be eligible for spousal support
 - Complex and legal support may not be available



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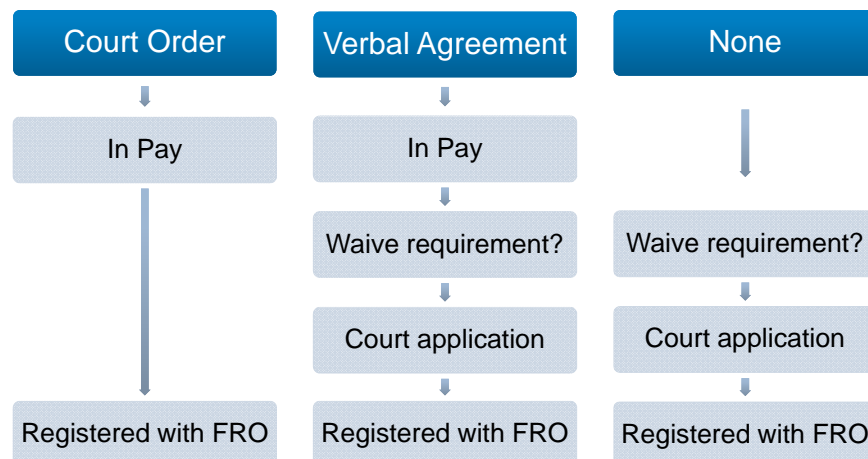
Family Support Workers

- Tenants with Ontario Works or ODSP must pursue child support under these programs
- Family Support Workers (FSW) may be available to assist
 - Court applications
 - Assessment of adequacy
 - Location of absent parents
- Some service managers may also have FSWs



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Support Arrangements



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When Pursuit May Not Be Required

- May be temporary or permanent
- Tenant or child at risk of abuse if support is pursued
- Whereabouts unknown
- Low / no income
- Incarcerated
- Deceased

DOCUMENT, DOCUMENT, DOCUMENT!



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Family Responsibility Office (FRO)

- Responsible for enforcement of court orders and registered written agreements
 - 1-800-267-4330
 - www.attorneygeneral.jus.gov.on.ca
- Schedule A (non-commissioned statement of account) verifies court ordered payments
- Best practice - allow at least 30 days for information to be returned



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Court Applications

- Ontario Superior Court of Justice, Family Branch
 - www.ontariocourts.ca
- Family Law Information Centre (FLIC)
 - www.attorneygeneral.jus.gov.on.ca
- Best practice - allow at least 30 days for proof of start of application
- Follow up regularly – can take many months to finalize order



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Support - Resources

- General information
 - www.ontariocourts.ca
 - www.attorneygeneral.jus.gov.on.ca
- Family Responsibility Office (FRO)
 - 1-800-267-4330
 - www.attorneygeneral.jus.gov.on.ca
- Legal Aid
 - 1-866-595-0563
 - www.legalaid.on.ca/en/



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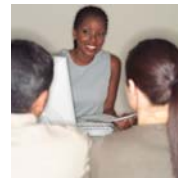
Questions on Pursuing Support



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Ontario Works

- Who may be required to apply?
 - Low income / no income
 - Low assets
 - Some dependants over age 18 years
- Distinction between recommended pursuit and required pursuit of income
- Confirmation of increased RGI if eligible for OW



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OW Basic Needs (as of Oct. 1, 2014)

# Deps	Age 18+	Age 0-17	Single	Couple
0	0	0	\$280	\$463
1	0	1	339	463
	1	0	582	609
2	0	2	339	463
	1	1	582	609
	2	0	728	771
3	0	3	339	463
	1	2	582	609
	2	1	728	771
	3	0	891	934
Plus \$163 for each additional dependant aged 18 +				



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OW Asset Limits

Single	\$2,500
Couple	\$5,000
Couple with one dependant	\$5,500
Plus for each additional dependant	+ \$500
Single parent with one dependant	\$3,000
Plus for each additional dependant	+ \$500



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OW - Living with Parents

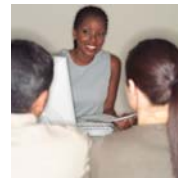
- OW ineligible if under age 18
- Must be determined financially independent
 - Married or common-law
 - Custodial parent
 - Two years out of home, with income, or supported by other than parent/OW
 - Five years out of secondary school
 - Post secondary school graduate
 - OSAP sole support student
- Confirmation of requirement to pay rent



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OW - How to Apply

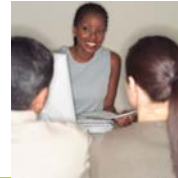
- Call local Ontario Works office
- Toll free 1-877-678-6333
- Online applications
http://www.mcscs.gov.on.ca/en/mcscs/programs/social/apply_online.aspx
- Applications processed in 4-7 days
- Best practice – allow 10 days to report back



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OW – Follow Up

- Payment stub or letter confirming eligibility
- Written notice of ineligibility
 - Missing information / failure to provide information
 - Chose to discontinue / voluntary withdrawal
 - Non-compliance in employment activities (ongoing benefit units)
- Income and asset information is same for OW and RGI



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Questions on Pursuing OW



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Sponsorship Income

- Sponsors agree to provide financial support for basic requirements
- Sponsored immigrants may have other income and not require support
- Two types of sponsored immigrants:
 - Family class immigrants
 - Refugees resettled from outside of Canada



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Family Class Immigrants

- Sponsorships can be from 3 to 10 years
- Sponsorship is unconditional
- Sponsorship breakdown means the sponsored person has applied for social assistance
 - Sponsor may be required to repay Ontario Works
 - Sponsor may not be able to sponsor others



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Family Class Immigrants

- Best practice - option to provide support prior to requiring pursuit of Ontario Works
 - Give at least 10 days to report back before requiring Ontario Works application
 - Sponsorship income should provide for RGI at least equivalent to OW scale amount
- Waive pursuit of sponsorship income if:
 - Tenant is at risk of abuse
 - Sponsor has low income / no income
 - Sponsor is deceased



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Refugees

- Resettled refugees are permanent residents under one year sponsorship
- Groups promise to provide funds equivalent to at least minimum social assistance
- Best practice – charge at lower of 30% of family income or OW scale rate
 - May require OW application if support is insufficient



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Questions on Pursuing Sponsorship Income



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Appeals

- What is appealable?
 - RGI ineligibility for failure to pursue income
 - RGI ineligibility for failure to provide requested information
 - RGI charge (e.g. deemed OW scale amount)
- Requirement to pursue income is not appealable
- Clear documentation and tenant notice regarding expectations
- Extenuating circumstances



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Summary

- May require pursuit of OW, support, OAS, EI or sponsorship income
- Distinction between requiring pursuit and recommending pursuit
- Clear notice of requirement to pursue
 - Proof of application vs. proof of income
- Consistent follow up
- Extenuating circumstances
- Documentation



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Questions



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How can ONPHA help you?

- ONPHA website www.onpha.on.ca
 - sample letters, forms, other downloadable material
- ONPHA Member Support Hotline
 - 1-800-297-6660
- ONPHA Resource Centre
 - Handbooks and Guides
 - sample policies
- The Knowledge Advantage
 - ONPHA Education Program
 - RGI, RTA, Finance, Governance
 - webinars
- ONPHA Conference
 - Toronto – October 15 - 18, 2015



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ONPHA values your opinion

Please complete a workshop evaluation.



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